

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I. STATUS OF THE CLAIMS

Claim 11 is amended herein.

In view of the above, it is respectfully submitted that claims 11-21 are currently pending and under consideration.

II. DRAWINGS

The drawings are attached hereto.

III. REJECTION OF CLAIMS 11-21 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 11 is amended herein to overcome the rejection.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 11, 15, 16, 18 AND 19 UNDER 35 U.S.C. § 102(E) AS BEING ANTICIPATED BY STEINMEYER ET AL. (US 2006/0158059) AND STEINMEYER ET AL. (US 2004/0056541)

Claim 11 of the present invention, as amended herein, relates to a superconductor device, which comprises "a stationary magnet."

Steinmeyer et al. ("Steinmeyer '059") and Steinmeyer et al. ("Steinmeyer '541") disclose a superconductor device containing a rotor that is rotatable about a rotational axis with a superconductive coil (see respective Abstracts).

However, a superconductive *coil* that is part of a rotor rotatable about a rotational axis as disclosed by Steinmeyer '059 and Steinmeyer '541, is not the same as a stationary magnet, nor would it be interpreted by persons skilled in the art as being the same as a *stationary magnet*. Thus, Steinmeyer '059 and Steinmeyer '541 fail to disclose the claimed stationary magnet as recited in claim 11. Accordingly, claim 11 patentably distinguishes over Steinmeyer '059 and Steinmeyer '541.

Dependent claims 15, 16, 18, and 19 (depending from claim 11) recite patentably distinguishing features of their own, and further, are at least patentably distinguishing due to their dependencies from independent claim 11.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. REJECTION OF CLAIMS 11 AND 15-19 UNDER 35 U.S.C. § 102(E) AS BEING ANTICIPATED BY GAMBLE ET AL. (US 6,812,601) AND GAMBLE ET AL. (US 6,376,943)

Gamble et al. ("Gamble '601") and Gamble et al. ("Gamble '943") disclose a cooling system for a superconductor rotor. The respective cooling systems interface a stationary reference frame with a rotating reference frame in which the superconducting rotor, i.e., the superconducting field winding, is located (see respective Abstracts). The superconductor is located in a rotating reference frame. Therefore, since the superconductor is a field winding of a rotatable rotor of a superconducting machine, it is clear to a person skilled in the art that the superconductor cannot be interpreted to be a magnet. Accordingly, Gamble '601 and Gamble '943 fail to disclose the claimed stationary magnet as recited in claim 11.

Dependent claims 15-19 (depending from claim 11) recite patentably distinguishing features of their own, and further, are at least patentably distinguishing due to their dependencies from independent claim 11.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI. REJECTION OF CLAIMS 17, 20, AND 21 UNDER 35 U.S.C. § 103(A) AS BEING UNPATENTABLE OVER EITHER STEINMEYER OR GAMBLE IN VIEW OF EITHER ROJEY ET AL. (US 4,771,824) OR LAVERMAN ET AL. (US 5,193,349)

Dependent claims 17, 20, and 21 (depending from claim 11) recite patentably distinguishing features of their own, and further, are at least patentably distinguishing due to their dependencies from independent claim 11. As illustrated above, none of the Steinmeyer or Gamble references disclose the features as recited in independent claim 11. Further, claim 21, for example, provides "the superconductive magnet is part of an MRI installation," which is not disclosed in any of the cited prior art references.

In view of the above, it is respectfully submitted that the rejection is overcome.

VII. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

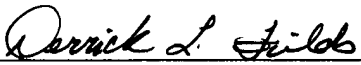
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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